

REMARKS

The Official Action mailed June 10, 2009, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on January 14, 2004; May 11, 2004; February 24, 2005; September 25, 2006; August 22, 2007; February 27, 2008 and January 21, 2009.

Claims 1-20, 46-55, 57, 59 and 60 were pending in the present application prior to the above amendment. Claim 60 has been canceled without prejudice or disclaimer; and claim 61 has been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1-20, 46-55, 57, 59 and 61 are now pending in the present application, of which claims 1-4 are independent. Claims 2, 4, 9, 10, 13, 14, 46, 47, 49, 51, 53, 55, 57 and 59 have been withdrawn from consideration by the Examiner. Accordingly, claims 1, 3, 5-8, 11, 12, 15-20, 48, 50, 52, 54 and 61 are currently elected, of which claims 1 and 3 are independent. Claims 1, 3, 5, 6 and 15-20 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 1, 3, 7, 11, 48, 50, 52, 54 and 60 as obvious based on the combination of U.S. Publication No. 2001/0040645 to Yamazaki; U.S. Patent No. 5,298,768 to Okazaki; U.S. Publication No. 2001/0012089 to Shiraishi and U.S. Patent No. 6,417,899 to Jones. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1 and 3 have been amended to recite a liquid crystal device having a pixel portion comprising: an insulating film; a plurality of switching elements formed over the insulating film; a plurality of electrodes electrically connected to the plurality of switching elements; a liquid crystal material adjacent to the plurality of electrodes; and a counter substrate opposed to the plurality of electrodes with the liquid crystal material interposed therebetween; a back light unit comprising: a plastic substrate; a plurality of light emitting elements formed over the plastic substrate; a resin covering the plurality of light emitting elements, a polarizing plate disposed between the liquid crystal device and the back light unit, the polarizing plate being attached to the insulating film by an adhesive wherein the insulating film is in direct contact with the adhesive, wherein the plastic substrate covers an entirety of the pixel portion. The Applicant respectfully submits that Yamazaki, Okazaki, Shiraishi and Jones, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Yamazaki, Okazaki, Shiraishi and Jones do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Official Action rejects dependent claim 5 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Patent No. 4,648,691 to Oguchi. The Official Action rejects dependent claim 6 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Publication No. 2002/0041348 to Yokoyama. The Official Action rejects dependent claims 8 and 12 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Publication No. 2002/0130985 to Weindorf. The Official Action rejects dependent claims 15, 17 and 18 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Patent No. 6,331,381 to Chaudhari. The Official Action rejects dependent claim 16 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Patent No. 5,781,283 to Kawagoe. The Official Action rejects dependent claim 19 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Patent No. 4,202,607 to Washizuka. The Official Action rejects dependent claim 20 as obvious based on the combination of Yamazaki, Okazaki, Shiraishi, Jones and U.S. Patent No. 4,536,014 to Boutaleb. Please incorporate the arguments above with respect to the deficiencies in Yamazaki, Okazaki, Shiraishi and Jones. Oguchi, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka or Boutaleb does not cure the deficiencies in Yamazaki, Okazaki, Shiraishi and Jones. The Official Action relies on Oguchi, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka or Boutaleb to allegedly teach the features of the above-referenced dependent claims. However, Yamazaki, Okazaki, Shiraishi, Jones and Oguchi, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka or Boutaleb, either alone or in combination, do not teach or suggest that Yamazaki, Okazaki, Shiraishi and Jones should be modified to include the above-referenced features of amended independent claims 1 and 3. Since

Yamazaki, Okazaki, Shiraishi, Jones and Oguchi, Yokoyama, Weindorf, Chaudhari, Kawagoe, Washizuka or Boutaleb do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claim 61 has been added to recite additional protection to which the Applicant is entitled. For the reasons stated above and already of record, the Applicant respectfully submits that new claim 61 is in condition for allowance.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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